

JAN 9 1960

USED & RECEIVED FOR FILING

DATE September 19, 1979

BY ADMINISTRATIVE SERVICES

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of September, 1979, that the herein Petition for Variance to permit a side yard setback of eight feet in lieu of the required ten feet, for the expressed purpose of constructing additional living space to the existing dwelling, as shown on the plat filed herein, dated May 23, 1979, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

September 18, 1979

Rosser J. Pettit, Esquire
1910 Charles Center South
Baltimore, Maryland 21201

RE: Petition for Variance
N/S of Old Battle Grove Road, 1056'
W of North Point Road - 15th Election
District
Daniel R. Dziewanowski, et ux -
Petitioners
NO. 80-59-A (Item No. 3)

Dear Mr. Pettit:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

August 2, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #3 (1979-1980)
Property Owner: Daniel R. & Janet L. Dziewanowski
N/S Old Battle Grove Rd. 1056' W. North Point Rd.
Existing Zoning: UR 5.5
Proposed Zoning: Variance to permit a side setback of
8' in lieu of the required 10'.
Acres: 0.308 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Old Battle Grove Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels and other special construction features are required.

Item #3 (1979-1980)
Property Owner: Daniel R. & Janet L. Dziewanowski
Page 2
August 2, 1979

Water and Sanitary Sewer:

There is public 8-inch water main, 8-inch sanitary sewerage and 6-inch sanitary sewage force main in Old Battle Grove Road.

Very truly yours,

Ellsworth M. Dwyer, P.E.
ELLSWORTH M. DWYER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers
D. Grise

E-NW Key Sheet
10 SE 27 Pos. Sheet
SE 3 G Topo
104 Tax Map

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

August 27, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments on the following items for the July 2, 1979 Zoning Advisory Committee: Items 3, 4, 5, 6, and 7.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Associate Engineer II

MSF/hmd

baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

August 27, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #3, Zoning Advisory Committee meeting of July 2, 1979, are as follows:

Property Owner: Daniel R. & Janet L. Dziewanowski
Location: N/S Old Battle Grove Rd. 1056' W North Point Blvd.
D.R. 5.5
Existing Zoning: Variance to permit a side setback of 8' in lieu of the required 10'
Proposed Zoning: 0.308
Acres: 15
District:

Metropolitan water and sewer exist. Therefore, the proposed house addition should not present any health hazards.

Very truly yours,

Ian J. Forrest
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRP:ph

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

August 9, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Daniel R. & Janet L. Dziewanowski

Location: N/S Old Battle Grove Rd. 1056' W North Point Rd.

Item No. 3 Zoning Agenda Meeting of 7/2/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1975 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY George M. Hammond 8/9/79
Planning Group
Special Inspection Division

Noted and
Approved: George M. Hammond
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. William E. Hammond
Zoning Commissioner

Charles E. (Ted) Burnham

ITEM #3

Daniel R. & Janet L. Dziewanowski

Date July 12, 1979

TO: _____

FROM: _____

SUBJECT: _____

Please advise the applicant that if the floor level of the proposed structure will be below elevation 10'.

The attached Section 320.2 of the Baltimore County Supplement to the Baltimore County Building Code shall be applicable.

As this can be an exceptionally costly item in the construction of a dwelling, the owner should be made knowledgeable of the requirements.

This is in addition to the comments on the standard form I normally use.

CEB:rrj

Charles E. Burnham
Charles E. (Ted) Burnham, Chief
Plans Review

JAN 29 1980

Section 320.1 Construction in Areas Subject to Flooding

Subsection 320.1 General Requirements. All buildings and structures hereafter erected or moved in areas in Baltimore County as designated by the Department of Public Works of Baltimore County and which are subject to inundation by tidewaters, surface water or running streams shall have floor elevations and watertightness as set forth in this Code.

Subsection 320.2 Areas Subject to Inundation by Tidewaters

a. Where buildings are built in areas subject to inundation by tidewaters, the first or main floor elevation shall not be lower than 10 feet above mean low tide. Such buildings shall be supported on piles, reinforced concrete piers, monolithic concrete foundations or other approved means of support.

b. Where basements or other floors are constructed below 10 feet above mean low tide, the enclosure walls and floor construction shall be of monolithic construction of concrete of sufficient strength and specifically designed for watertightness and hydrostatic pressure, as certified by a Professional Engineer registered in the State of Maryland. Such walls shall be made watertight by membrane waterproofing on the exterior face and the membrane protected by 1 inch minimum cement plaster coating. All floors below 10 feet above mean low tide shall be made watertight by membrane waterproofing on 3 inch minimum concrete floor sub-base.

c. All arcways for windows, doors, and other openings below 10 feet above mean low tide shall be made watertight as required for walls and floors as set forth in this Code.

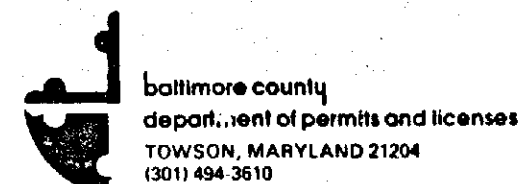
d. All arcways for windows, doors, and other openings below 10 feet above mean low tide shall be connected by service weight cast iron soil pipe to an adequate sump pump located in the basement and discharging to an elevation not less than 10 feet above mean low tide; the said pump shall have a discharge capacity of not less than 15 gallons per minute.

e. Crawl spaces under floors of buildings or structures below 10 feet above mean low tide shall have enclosure walls conforming to the requirements of this Code except such enclosing walls may be of concrete masonry units set in mortar and shall be capable of withstanding the hydrostatic pressure. All openings to the crawl spaces, including access doors, shall be enclosed to an elevation of not less than 8 1/2 feet above mean low tide. The crawl space areas and enclosures shall be drained by cast iron soil pipe with a proper backwater valve, and shall discharge to the adjacent grade or into an approved drainage system.

Subsection 320.3 Areas Subject to Inundation by Surface Waters on Running Streams

a. The first or main floor elevation of buildings subject to inundation by surface water or streams shall be not less than 2 feet above the flood level as determined by the Department of Public Works of Baltimore County, or at such elevation as may be necessary to grade a lot to prevent flooding of the same. Construction shall be in conformity with the requirements set forth in this Code, titled "Areas Subject to Inundation by Tidewaters."

b. All basement or other floors below the first or main floor shall be in conformity with the requirements set forth in this Code, titled "Areas Subject to Inundation by Tidewaters."



JOHN D. SEYFFERT
DIRECTOR

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

July 10, 1979

Dear Mr. Hammond:

Comments on item 3 Zoning Advisory Committee Meeting, July 2, 1979 are as follows:

Property Owner: Daniel P. & Janet L. Dziewanowski
Location: 85 Old Battle Grove Road - 1056' W North Point Road
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 10'.

Acres: 0.308
District: 15th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X B. A building permit shall be required before construction can begin.

C. Additional Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

X E. Three sets of construction drawings will be required to file an application for a building permit.

F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

I. No Comment.

J. Comments:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:bj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 9, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: July 2, 1979

RE: Item No: 1, 2, 3, 4, 5, 6, 7
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

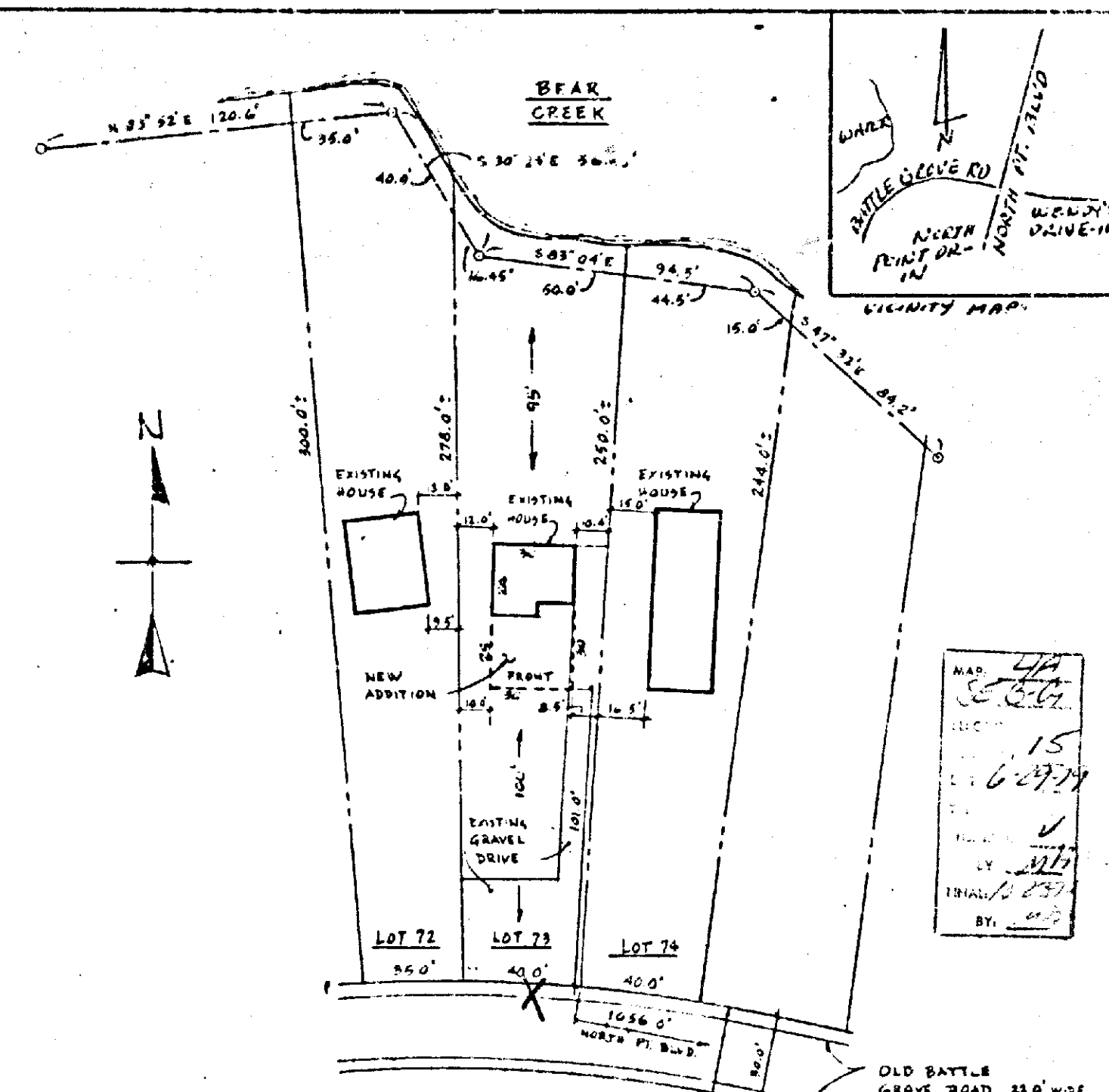
ENP/lp

JOSEPH N. McHUGHAN, President
T. DAYARD WILLIAMS, JR., Vice-President
MARCEL M. ROTZARS

THOMAS H. ROYER
MRS. LORRAINE F. CHURCH
JUDY B. LAYTON

ALVIN LORICK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACY, DVM.

ALBERT V. DUBIEL, ALL INTERESTS



NOTES

1. BOUNDARY INFORMATION TAKEN FROM PLAT BOOK W.C. 16-76 FOR BATTLE GROVE - SUBDIVIDED BY MILLER-NEELSON, INC. SUBMITTED BY J. SPENCE HOWARD APRIL 1958 FILED MAY 8, 1958

2. HOUSE LOCATION MEASURED MAY 1979

3. ALL UTILITIES "PUBLIC"

PLOT PLAN

FOR
MR. & MRS. DZIEWANOWSKI
7646 OLD BATTLE GROVE ROAD
BALTIMORE, MD. 21219
SCALE: 1" = 40.0' DATE: MAY 28, 1979
DRAWN BY: PAULINA C. SMITH
WESTMINSTER, MD. 21157

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 16, 1979

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., at one time _____, 1979, the first publication day of _____, 1979, the first publication day of _____, 1979, the first publication day of _____, 1979.

THE JEFFERSONIAN
L. L. Smith
Manager.

Cost of Advertisement, \$ _____

PETITION FOR VARIANCE
15th DISTRICT
ZONING: Petition for Variance for side yard setback.
LOCATION: North Side of Old Battle Grove Road, 1056 feet West of North Point Road.
DATE & TIME: Thursday, September 6, 1979 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

1. Petition for variance to permit a side yard setback of 8 feet in lieu of the required 10 feet as to the east side of property.

The zoning regulation to be executed as follows:
Section 1802.3.C.1 - side yard setback.

All that parcel of land in the 15th District of Baltimore County, containing 0.308 acres, more or less, known as 7646 Old Battle Grove Road, at a distance of 1056 feet West of North Point Road.

Being Lot Number 71 as shown on Plat of "Battle Grove" recorded in the Land Records of Baltimore County in Plat Book 5, Folio 75.

Also known as 7646 Old Battle Grove Road.
Being the property of Daniel P. Dziewanowski, et al., as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, September 6, 1979 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. 21204.
By Order of
WILLIAM E. HAMMOND,
Zoning Commissioner,
of Baltimore County
Aug. 16



TOWSON, MD. 21204 August 16, 1979

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Daniel P. Dziewanowski was inserted in the following:

☐ Catonsville Times ☐ Arbutus Times
☒ Essex Times ☐ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the _____ day of August, 1979, that is to say, the same was inserted in the issues of August 16, 1979.

STROMBERG PUBLICATIONS, INC.

BY *L. L. Smith*

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15 Date of Posting: 8/16/79

Posted for: *15th District*

Petitioner: *Daniel P. Dziewanowski*

Location of property: *1056' W. Old Battle Grove Rd., 1056'*

W. North Pt. Rd.

Location of Signs: *Post of property 7646 Old Battle*

7646 Old Battle

Remarks:

Posted by: *Ross J. Pettit* Date of return: 8/24/79

Signature

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 19th day of June, 1979

Filing Fee \$ 25.00 Received: ☒ Check

☐ Cash

☐ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner *Mr. Dziewanowski* Submitted by *Ross J. Pettit*

Petitioner's Attorney *Ross J. Pettit* Reviewed by *W.E.H.*

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map date by	Original date by	Duplicate date by	Tracing date by	200 Sheet date by
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					

Reviewed by: *W.E.H.* Revised Plans, Change in outline or description Yes ☐ No ☒

Previous case: *None* Map # _____

BALTIMORE COUNTY, MARYLAND No. 83098
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE August 7, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Robert G. Lembach, Esquire

FOR: Filing Fee for Case No. 80-59-4

2325 AUG 8 25.00 MSC

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 83160
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE September 5, 1979 ACCOUNT 01-662

AMOUNT \$40.12

RECEIVED FROM: Robert G. Lembach, Esquire

FOR: Advertising and Posting for Case No. 80-59-4

2415 SEP 5 40.12 MSC

VALIDATION OR SIGNATURE OF CASHIER

JAN 23 1980